



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/05/2022

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

CRL OP(MD) . No.8725 of 2022

Vinoth

... Petitioner/Accused No.3

Vs

State rep.by

The Inspector of Police,
Kaliakkavilai Police Station,
Kanyakumari District.
(Crime No.539 of 2009).

... Respondent/Complainant

For Petitioner : M/s.Dennis Joe M, Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 539 of 2009 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.3, apprehending arrest at the hands of the respondent police for the offences punishable under sections 294(b), 342, 323, 324 and 506(i) I.P.C, in Crime No.539 of 2009, on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides.

3.For report against the petitioner, the petitioner was charged for the offence under Section 294(b) in C.C.No.226 of 2018 on the file of the Judicial Magistrate No.I, Kuzhuthurai.

4.The learned Government Advocate (Crl.Side) would submit that the non-bailable warrant issued against the petitioner on 25.06.2014.



5. The learned counsel for the petitioner submitted that since the petitioner was out of country, he was not in a position to appear before learned Judicial Magistrate No.I, Kuzhithurai and now he is willing to appear before the trial Court.

6. In view of the above submission, this Court is inclined to grant anticipatory bail to the petitioner for the case in C.C.No.226 of 2018 on the file of the Judicial Magistrate No.I, Kuzhithurai on condition that the petitioner shall appear before the trial Court on 14.06.2022 for the purpose of pleading guilty.

7. With the above condition, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate NO.I, Kuzhithurai on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter, as and when required for interrogation.

[c] the petitioner shall not tamper with the evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

Sd/-

06/05/2022

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/ /2022

Sub-Assistant Registrar (C.S.II)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE JUDICIAL MAGISTRATE NO.I,
KUZHITHURAI.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

3. THE INSPECTOR OF POLICE,
KALIAKKAVILAI POLICE STATION,
KANYAKUMARI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. CC to M/S.DENNIS JOE M Advocate SR.No.4425

ORDER

IN

CRL OP(MD) No.8725 of 2022

Date :06/05/2022

SP/PN/SAR II/10/05/2022/3P/6C